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International Court of Justice

ERRATA SHEET - WAR CRIMES AND CRIMES AGAINST HUMANITY

PART II

PLUNDER OF ART TREASURES

Page 22. Add new paragraph following paragraph 2:

Dr. Muehlmann, the "Special Deputy for the Safeguarding of Art Treasures" in the General Government, has confirmed that it was the policy and purpose of the art seizure program to confiscate the art treasures and to retain them for the benefit of Germany:

> "I confirm, that it was the official policy of the Governor General, HANS FRANK, to take into custody all important art treasures, which belonged to Polish public institutions, private collections and the Church. I confirm, that the art treasures, mentioned, were actually confiscated, and it is clear to me, that they would not have remained in Poland in case of a German victory, but that they would have been used to complement German artistic property."
>
> (3042-PS, affidavit of Dr. Muehlmann, dated 19 November 1945.)

Page 25. Insert the following after 2522-PS:

3042-PS	Affidavit of Dr. Kajetan Muehlmann, signed 19 November 1945.	22

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090-PS. Letter Rosenberg to Schwarz, 28 Jan 1941, copy initialled "Sch".

145-PS. Photostatic copy of order from Rosenberg. Rosenberg's signature. 20 Aug 1941.

In a letter to GOERING, dated 18 June 1942, ROSENBERG voiced the opinion that all art objects and other confiscated items should belong to the National Socialist Party because the Party has been bearing the brunt of the battle against the persons and forces from whom this property was taken.

1118-PS. Copy of letter, Rosenberg to Goering, 18 June 1942.

d. Cooperation of Hermann GOERING.

On 5 November 1940, GOERING issued an order specifying the distribution to be made of art objects brought to the Louvre. The order lists as second in priority of disposition, "Those art objects which serve to the completion of the Reichsmarshal's collection" and states that the objects will "be packed and shipped to Germany with the assistance of the Luftwaffe." (141-PS, supra).

On 1 May 1941 GOERING issued an order to all Party, State and Wehrmacht Services requesting them:

> ".....to give all possible support and assistance to the Chief of Staff of Reichsleiter ROSENBERG's Staff, Reichshauptstellenleiter Party Comrade UTIKAL, and his deputy DRK-Feldfuehrer Party Comrade von BEHR, in the discharge of their duties. The abovementioned persons are requested to report to me on their work, particularly on any difficulties that might arise."

144-PS. Photostatic copy of Goering order, 1 May 1941. Goering's signature.

On 30 May 1942, GOERING claimed credit for the success of the Einsatzstab:

> ".....On the other hand I also support personally the work of your Einsatzstab wherever I can do so, and a great part of the seized cultural goods can be accounted for because I was able to assist the Einsatzstab by my organizations."

1015i-PS. Photostatic copy of letter Goering to Rosenberg, 30 May 1942. Goering's signature.

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e. Method of Operation.

The staff of the Einsatzstab ROSENBERG seized not only "abandoned" art treasures but also seized treasures which had been hidden or in the custody of depots or warehouses, including art treasures that were already packed for shipment to America. (1015b-PS, supra).

Robert Scholz, Chief of the Special Staff for Pictorial Art described the thoroughness with which the Einsatzstab conducted investigations and seizures:

> ".....These seizures were carried out on the basis of preliminary exhaustive investigations into the address lists of the French Police authorities, on the basis of Jewish handbooks, warehouse inventories and order books of French shipping firms as well as on the basis of French art and collection catalogues.
>
> ".....The seizure of ownerless Jewish works of art has gradually extended over the whole French territory." (1015b-PS, supra).

In the East members of ROSENBERG's staff operated directly behind the front in close cooperation with the infantry.

> 035-PS. Original report, 26 Oct 1943. Utikal's signature.

Von Behr in a progress report dated 8 August 1944 described the method of seizing household furnishings:

> "The confiscation of Jewish homes was effected in most cases in such a way that the so-called confiscation officials went from house to house when no records were available of the addresses of Jews who had departed or fled, as was the case for example, in Paris.....They drew up inventories of these homes and subsequently sealed them.....
>
> The goods are dispatched first, to large collecting camps from where they are turned over, sorted out and loaded for Germany.
>
> .....work shops were established for cabinet-makers, watchmakers, shoemakers, electricians, radio experts, furriers, etc. All incoming goods were diligently sorted out and those not ready for use were repaired. Moreover special boxes were dispatched for the use of special trades.....

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For the sorting out of the confiscated furniture and goods on the invisible assembly line and for the packing and loading, exclusive use was made of interned Jews. Because of its experience as to confiscation, as to working systems within the camps, and as to transportation, the Office West was able to reorganize their entire working system and thus to succeed in providing for the use in Germany even things which appeared to be valueless such as scrap paper, rags, salvage, etc....." (L-188, supra).

f. Nature, Extent and Value of Property Seized.

Books, Manuscripts, Documents and Incunabula.

A report on the library of the "Hohe Schule" prepared by Dr. Wunder lists the most significant book collections belonging to the library and confiscated by the Einsatzstab Reichsleiter ROSENBERG in accordance with the orders of the Fuehrer, as follows:

Alliance Israelite Universelle	Approx.	40,000	Vols.
Ecole Rabbinique	"	10,000	"
Federation de Societe des Juifs de France	"	4,000	"
Lipschuetz Bookstore, Paris	"	20,000	"
Rothschild Family, Paris	"	28,000	"
Rosenthaliana, Amsterdam	"	20,000	"
Sefardischen Jewish Community, Amsterdam	"	25,000	"
Occupied Eastern Territories	"	280,000	"
Jewish Community, Greece	"	10,000	"
"Special Actioh", Rhineland	"	5,000	"
Other sources	"	100,000	"
	"	552,000	"

171-PS, supra

An undated report on the activities of the Einsatzstab Working Group, Netherlands, lists Masonic Lodges and other organizations whose libraries and archives have been seized. The report states that 470 cases of books had already been packed and reports materials seized from 92 separate lodges of the "Droit Humain", the "Groot Oosten", the "IOOF" and the "Rotary Club". An additional 776 cases containing approximately 160,000 volumes were seized from the

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"International Institute for Social History" at Amsterdam. An additional 170 cases were seized from the "Theosophischen Society" and other organizations.

The report states that the value of the above works is between thirty and forty million Reichsmarks. Additional materials to be derived from other sources, including 100,000 volumes from the "Rosenthaliana" collection, are estimated to have a value of three times that of the above, or an additional ninety to one hundred-twenty million Reichsmarks. The estimated overall value is thus between 120 and 160 million Reichsmarks.

176-PS. Original report, undated. Signed Schimmer.

Household Furnishings.

The entire furniture seizure action, known as "Action M", is summarized in a report of Von Behr, Chief of the Office West, dated 8 August 1944. The report furnishes the following statistics on results up to 1 July 1944:

Jewish homes confiscated	71,619	
Loading capacity required	1,079,373	cu ms.
Railroad cars required	26,984	
Foreign currency and securities confiscated	11,695,516	RM
Scrap metal, scrap paper, and textiles dispatched	3,191,352	kgms.

The report goes on to list in detail, the number of boxes of miscellaneous items seized, including china (199 boxes), curtains (72 boxes), coat hangers (120 boxes), toys (99 boxes), bottles (730 boxes), etc. The report concludes with an itemized statement of the number of wagons dispatched to various cities throughout Germany, to German camps, to SS Division, the German State Railways, the Postal, Service, and the Police.

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(L-188, supra).

Works of Art (East).

With reference to the work of the Einsatzstab in the Eastern Territories, Robert Scholz reported as follows:

> "In the course of the evacuation of the territory several hundred most valuable Russian ikons, several hundred Russian paintings of the 18th and 19th centuries, individual articles of furniture and furniture from castles were saved in cooperation with the individual Army Groups, and brought to a shelter in the Reich." (1015b-PS, supra).

In August 1943, just prior to the loss of Charcow by the Germans, 300 paintings of West European masters and Ukrainian painters and 25 valuable Ukrainian carpets mostly from the Charcow museum, were packed and shipped by the Einsatzstab.

707-PS. Original letters, June-Oct 1943. Signed SS-Lt Col Sievers.

Reporting on the withdrawal from the Ukraine, Staff Director Utikal accounts for the removal of the following materials:

From the Museum of Art at Charcow:

Ukrainian paintings	96
Western European paintings	185
Wood carvings and etchings	12
Carpets and tapestries	25

From the Ukrainian museum in Kiev:

Textiles of all sorts.
Collection of valuable embroidery patterns.
Collection of brocades.
Numerous items of wood, etc.

In addition Utikal reports shipment of a total of 131 cases containing: 10,186 books, the catalogue of the "East" library, art folios, samples of magazines, Bolshevist pictures, and Bolshevist films. Utikal also states:

> "Moreover an essential part of the pre-historic museum was transported away." (035-PS, supra).

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Another report on the shipment of works of art from the Ukraine, dated 12 September 1944, indicates the value of the contents of 85 chests of art objects:

> "There are a great many of the oldest icons, works of famous masters of the German, Dutch and Italian schools of the 16th, 17th and 18th centuries, as well as works of the best Russian artists of the 18th and 19th centuries. On the whole, the contents include the most valuable works of the known Ukrainian art possession, which in themselves represent a value of many millions after a cursory appraisal" (055-PS, supra).

Attached to the above report is a detailed inventory listing hundreds of individual objects.

Additional evidence as to the extent of material seized in Kiev is found in a secret note, dealing with measures taken prior to the Russian Occupation, dated 17 June 1944. The note reports the taking of materials from museums, archives, institutions, etc, during the autumn of 1943 on the order of the Einsatzstab and of the Reichs-commissar. During October there were sent to the Reich 40 railway trucks carrying mostly goods belonging to the Central Research Institute of the Ukraine. The report concludes with the statement that when the Soviets entered the town nothing of value was left.

1109-PS. Original note, 17 June 1944. Signed Dr. Ullman.

On 28 September 1941, the General Commissar for White Ruthenia reported the seizure of art treasures in the area of Minsk, destined for Konigsberg and Linz. The value of these confiscations was stated to amount to millions of marks.

1099-PS. Original letter Kutz to Rosenberg, 28 Sep 1941. Signed Kutz, General Commissar White Ruthenia.

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Works of Art (West).

The Robert Scholz report (1015b-PS, supra) declared that:

> "During the period from March 1941 to July 1944, the Special Staff for Pictorial Art brought into the Reich:
>
> 29 large shipments including
> 137 freight cars with
> 4,174 cases of art works."

The report states that a total of 21,903 art objects of all types have been counted and inventoried, and states:

> "With this scientific inventory of a material unique in its scope and importance and of a value hitherto unknown to art research, the Special Staff for Pictorial Art has conducted a work important to the entire field of art. This inventory work will form the basis of an all-inclusive scientific catalog in which should be recorded history, scope and scientific and political significance of this historically unique art seizure."

The following is a summary of the inventory attached to the report:

Paintings	10,090
Plastics	583
Furniture	2,477
Textiles	583
Hand-made art objects	5,825
East Asiatic objects	1,286
Antiquities	259
Total:	21,903

The report states that the above figures will be increased since seizures in the West are not yet completed and it has not been possible to make a scientific inventory of part of the seized objects because of the lack of experts.

As early as 28 January 1941, Rosenberg stated with reference to properties seized in France alone:

> ".....the value involved will come close to a billion Reichsmarks."

090PS. Copy of letter, Rosenberg to Party Treasurer Schwarz, 28 Jan 1941.

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Scholz, in his report on activities from March 1941 to July 1944, expresses the value of the seizures as follows:

"The extraordinary artistic and material value of the seized art works cannot be expressed in figures. The paintings, period furniture of the 17th and 18th Centuries, the Gobelins, the antiques and renaissance jewelry of the ROTHSCHILD's are objects of such a unique character that their evaluation is impossible, since no comparable values have so far appeared on the art market.

A short report, moreover, can only hint at the artistic worth of the collections. Among the seized paintings, pastels and drawings there are several hundred works of the first quality, masterpieces of European art, which could take first place in any museum. Included therein are absolutely authenticated signed works of REMBRANDT, van RIJN, RUBENS, Frans HALS, Wermeer van DELFT, VELASQUEZ, MURILLO, GOYA, Sebastiano del PIOMBO, Palma VECCHIO, etc.

Of first importance among the seized paintings are the works of the famous French painters of the 18th Century, with masterpieces of BOUCHER, WATTEAU, RIGAUD, LARGIELLIERE, RATTLER, FRAGONARD, PATER, DANLOUX and de TROY.

This collection can compare with those of the best European museums. It includes many works of the foremost French masters, who up to now have been only inadequately represented im the best German museums. Very important also is the representation of masterpieces of the Dutch painters of the 17th and 18th Centuries. First of all should be mentioned the works of van DYCK, Salomen and Jacob RUISDAL, WOUVERMANN, TERBORCH, Jan WEENIX, Gabriel METSU, Adrian van OSTADE, David TENIERS, Pieter de HOOCH, Willem van der VELDE, etc.

Of foremost importance also are the represented works of English painting of the 18th and early 19th centuries, with masterpieces of REYNOLDS, ROMNEY, and GAINSBOROUGH. CRANACH and AMBERGER, among the German masters, should be mentioned.

The collection of French furniture of the 17th and 18th centuries is perhaps even more highly to be evaluated. This contains hundreds of the best preserved and, for the most part, signed works of the best known cabinet-makers from the period between LOUIS XIV to LOUIS XVI. Since German cabinet-makers played an important part in this golden age of French cabinetry, now recognized for the first time in the field of art, this collection is of paramount importance.

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> The collection of Gobelins and Persian tapestries contains numerous world-famous objects. The collection of handicraft works and the ROTHSCHILD collection of renaissance jewelry is valuable beyond comparison." (1015b-PS, supra).

The report refers to 25 portfolios of pictures of the most valuable works of the art collections seized in the West, which portfolios were presented to the Fuehrer. 10 additional portfolios are stated to be attached to the report and additional portfolios are said to be in preparation. 39 leatherbound volumes prepared by the Einsatzstab contain photographs of paintings, textiles, furniture, candelabra, and numerous other objects of art and illustrate the magnitude and value of the collection made by Einsatzstab ROSENBERG.

2522-PS. 39 volumes of photographs prepared by "Einsatzstab Reichsleiter Rosenberg").

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2. The General Gouvernement.

a. Confiscatory Laws and Decrees.

In October 1939 GOERING issued a verbal order to Dr. Muehlmann asking him to undertake the immediate securing of all Polish art treasures.

1709-PS. Copy of report of Special Delegate for Art Seizures, July 1943.

On 15 November 1939, Hans FRANK, Governor General for the Occupied Polish Territories, issued a decree providing in part:

"Article 1 - 1. All movable and stationary property of the Former Polish State ..... will be sequestered for the purpose of securing all manner of public valuables."

1773-PS. P 1, Decree. Das Recht des Generalgouvernements.

On 16 December 1939, FRANK issued a decree providing in part:

"Article 1. - All art objects in public possession in the General Gouvernement will be confiscated for the fulfillment of public tasks of common interest insofar as it has not already been seized under the decree on the confiscation of the wealth of the former Polish State in the General Gouvernement of 15 November 1939 (Verordnungsblatt GGP, p 37).

Article 2. - With the exception of art collections and art objects which were the property of the former Polish State, art objects will be considered as owned by the public:

1. private art collections which have been taken under protection by the special commissioner for the seuzure and safekeeping of the art and cultural treasures,
2. all ecclesiastical art property with the exception of those objects required for the daily performance of liturgic actions.

Article 3. - 1. In order to determine whether art objects are public property in the sense of this regulation, every private and ecclesiastical art possession has to be registered with exact data on the kind, nature and number of pieces.

2. Everyone who possessed or at the present time is in possession of or else is entitled to dispose of such objects of art since 15 March 1939, is obliged to register the same." (1773-PS, supra, p 3).

In order to implement the above decree, the following registration decree was issued in the name

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of the Governor General by Dr. Muehlmann, Special Deputy for the Securing of Art Treasures:

> "Article 2. - 1. Objects of artistic, cultural-hisorical and historical value which originate from the time before 1850, have to be registered.
>
> 2. The registration includes the following:
>
> a) paintings
> b) sculpture
> c) products of handicraft (for instance antique furniture, chinaware, glass, golden and silver objects, Gobelins, rugs, embroideries, lacework, paramente, etc).
> d) drawings, engravings, woodcuts, etc.
> e) rare manuscripts, musical manuscripts, autographs, book-paintings, miniatures, prints, covers, etc.
> f) weapons, armors, etc.
> g) coins, medals, seals, etc.
>
> 3. Regarding the art objects mentioned in section 2, detailed information has to be given if possible, on the master, the time of production, the contents of the representation, measurements and material (for instance, wood, canvas, bronze, etc.)" (1773-PS, supra, p 4).

The seizures authorized by the above decrees ripened into confiscation and assumption of ownership by the General Gouvernement, on 24 September 1940 with the issuance of the following decree by FRANK:

> "Article 1. - The property sequestered on the basis of Article 1, section 1 of the decree on the confiscation of the wealth of the former Polish State within the General Gouvernement of 15 November 1939 (Verordnungsblatt GGP, page 37) will be transferred to the ownership of the General Gouvernement." (1773-PS, supra, p 2).

Heinrich Himmler, as "Reichscommissioner for the Strengthening of Germanism" issued an "urgent decree" to the regional officers of the Secret Police in the Annexed Eastern Territories and the Commanders of Security Service in Krakau (Charkow), Radom, Warsaw and Lublin. The decree, dated 1 December 1939, was circulated on 16 December 1939, the same date as the promulgation of the decree of Dr. Muehlmann, above referred to. The Himmler decree contains administrative directions for execution of the Art Seizure program:

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R-143. Original Himmler decree, 1 Dec 1939. Himmler's official seal.

b. Purpose of Art Seizures.

The purpose of the Seizure Program is indicated in the aforementioned Himmler decree:

"I

"1. To strengthen Germanism in the defense of the Reich all articles mentioned in Section II of this decree are hereby confiscated. This applies to all articles located in the territories annexed by the Fuhrer's and Reich Chancellor's decree of 12/10/39, and the General Government for the Occupied Polish Territories. They are confiscated for the benefit of the German Reich and are at the disposal of the Reich Commissioner for the Strengthening of Germanism ....

IV

All confiscations made before this decree by authorities of the Reich Fuehrer SS and the Chief of German Police and the Reich Commissioner for the Strengthening of Germanism are hereby confirmed. They are to be regarded as made for the benefit of the German Reich and are at the disposal of the Reich Commissioner for the Strengthening of Germanism." (R-143, supra).

The methodical nature of the Art Seizure Program, and the existence of a general policy of confiscation of art reasures is indicated in Section V of Himmler's decree:

"In due course the usual questionnaires for cataloguing confiscated articles are to be sent to the Chief Custodian East."

The intention to enrich Germany by the seizures rather than to merely protect the seized objects is indicated in a report by Dr. Hans Posse, Director of the Dresden State Picture Gallery:

"I was able to gain some knowledge on the public and private collections as well as clerical property in Cracow and Warsaw. It is true that we cannot hope too much to enrich ourselves from the acquisition of great Art works, of paintings and sculptures, with the exception of the Veit-Stoss Altar and the plates of Hans Von Kulmbach in the Church of Maria in Cracow ..... and several other works from the National Museum in Warsaw ....."

1600-PS. Copy of report by Dr. Poose, undated.

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The avowed purpose of the art treasure seizures was the promulgation of German Culture throughout the Occupied East:

> "..... the result is put down in the catalogue, together with reproductions, and this is a definite proof of the penetration of the East by the German Cultural urge."
>
> 1233-PS. Original printed catalogue, undated.

c. Nature, Extent and Value of Property Seized.

Virtually the entire art possession of Poland, private as well as public, was seized by the General Gouvernement (1233-PS, supra). Document 1233-PS is a catalogue of the more important works of art seized by the General Gouvernement, and paragraph 1 of the Foreword contains the following admission:

> "On the basis of the decree of the General Governor for the Occupied Polish Territories of December 16, 1939, the Special Delegate for the Safeguarding of Treasures of Art and Culture was able in the course of six months to secure almost the entire art treasure of the country, with one single exception: the Flemish Gobelin series from the castle in Cracow. According to the latest information, these are kept in France, so that it will be possible to secure them eventually."

The nature and extent of materials seized in the General Gouvernement is indicated in Document 1709-PS. The document inventories the objects seized, and divides them into two classifications: those of primary importance,("Reich-important"), and those of secondary importance. Articles of primary importance, totalling 521 separate objects, are also set forth in a descriptive catalogue (1233-PS, supra).

The articles catalogued include paintings by German, Italian, Dutch, French and Spanish masters, rare illustrated books, Indian and Persian miniatures, woodcuts, the famous Veit-Stoss hand-carved altar, handicraft articles of gold and silver, antique furniture,

articles of crystal, glass and porcelain, tapestries, antique weapons, rare coints and medals. The objects were seized from both public and private sources, including the National Museum in Cracow and the National Museum in Warsaw, the cathedrals of Warsaw and Lublin, a number of churches and monasteries, the Chateau of the Kings in Warsaw, university and other libraries, and a large number of private collections of the Polish nobility.

Items placed in the second category are of the same nature as those placed in Category I. Approximately 500 separate items are catalogued, many of the items including a large number of separate objects treated under a single catalogue heading (1709-PS, supra, Appendix 6 & 7).

The value of the objects seized from 22 collections is stated to be 9,437,000 Zloty. The materials referred to are only a portion of those selected as being of secondary importance. No valuation is given as to the balance of the items of secondary importance or as to the 521 objects selected as being of primary importance (1709-PS, supra, Appendix 7, p 2).

d. Evidence that Seizures were not merely for Protective Purposes.

In Dr. Posse's report (1600-PS, supra), a number of items are referred to which may be found in the catalogue of art objects "made secure" (1233-PS, supra):

> "I was able to gain some knowledge on the public and private collections as well as clerical property in Cracow and Warsaw. It is true that we cannot hope too much to enrich ourselves from the acquisition of great Art works, of paintings and sculptures, with the exception of the Veit-Stoss altar and the plates of Hans von Kulmbach in the Church of Maria in Cracow, the Raffael, Leonardo and Rembrandt from the collection Czartoryski, and several other works from the National Museum in Warsaw, ... works of a rather high value of whose existence

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we in Germany had already known. Richer and more extensive is the Polish stock of 'objects d'art', such as handicraft in gold and silver, of German origin to a large part, particularly from the Church of Maria and the Cathedral of Wawel, tapestries, arms, porcelains, furniture, bronzes, coins, valuable parchment scrips, books, etc ..."

As I said before, I shall not be able to make proposals regarding the distribution as long as an inventory of the entire material does not exist. However, I should like to reserve for the museum at Linz the three most important paintings of the Czartoryski collection, namely the Raffael, Leonardo and Rembrandt which are at present in the Kaiser-Frederick Museum in Berlin. We in Dresden are particularly interested in the interior decorations of the castle of the Kings in Warsaw since Saxonian architects and artists have created them; therefore, the suggestions is made that the salvaged parts of it (panellings, doors, inlaid floors, sculptures, mirrors, glass-chanedliers, porcelains, etc,) be used for the interior decoration of the Pavillion of the 'Zivinges' in Dresden" (1600-PS, supra, p 3).

The following items listed in the above report are also listed in the catalogue:

ITEM	Catalogue No.
Veit-Stoss Altar	241
Hans Von Kulmbach Works	22
Raffael	141
Leonardo	134
Rembrandt	81
Church of Maria Handicraft	262-265, 279, 280
From Jagellonic Library	166, 167, 186, 199-203, 206, 209, 212, 215-224.

Appendix 8 of Document 1709-PS lists a large number of objects which were turned over to Architect Koettgen. The items listed include, in addition to paintings, tapestries, etc., plates, dishes, cups and saucers, vases, cream pitchers, glasses, a bread basket, a service tray, and other items of table service. These objects were turned over to the Architect for the purpose of furnishing the Castle at Cracow and Schloss Kressendorf for the Governor (1709-PS, supra, Appendix 8).

A number of objects were transported out of Poland and placed in Berlin in the Depot of the Special Deputy or in the safe of the Deutsche Bank (1709-PS,

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supra, p 80). Items at this location are also listed in the catalogue (1233-PS, supra), as numbers 4, 17, 27, 35, 42, 45, 47, 51, 138, 141, 145, and 148.

Thirty-one sketches by Durer were taken from the collection Lubomierski in Lemberg:

> "The Special Deputy has personally handed over these sketches in July 1941 to the Reichsmarshal who took them to the Fuehrer at headquarters where they remain at the present time. On express direction of the Fuehrer they will stay in his possession for the time being." (1709-PS, supra, p 68).

All art objects seized were screened for those which were important from the German point of view:

> "The Reich-Important pieces were collected in a catalogue of the so called 'First Choice'. One copy of this catalogue has been submitted to the Fuehrer who reserved to himself the first decision as to location and use of the art objects of the 'First Choice'". (1709-PS, supra, p 70).

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D. Argument and Conclusion.

The establishment, operation and results, of the Einsatzstab ROSENBERG has been too clearly established to require further elaboration. Sufficient it will be to say that this project was without a parallel in history for efficiency, ruthlessness and scope in the plundering and looting of conquered countries.

In the General Gouvernement the looting of cultural treasures was also done under color of official action; first, by the issuance of laws of sequestration, and then by confiscation of the property of the Polish State. Private art collections were first reached by compulsory registration, then by seizure, and finally by utilization for the benefit of the Reich.

Art objects seized and listed in FRANK's catalogue found their way to the depot of FRANK's Special Deputy, to the Kaiser Frederick Museum in Berlin, and into the hands of GOERING who in turn gave them to Hitler. Hundreds of objects were used for furnishing castles for the use of the Governor General.

Their very location and the use of the art works preclude any defense that the defendants seized these art collections for the purpose of safeguarding them. The evidence clearly establishes that they were taken away from their rightful owners and appropriated for the benefit of the Reich and for the individuals.

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A P P E N D I X - A

EINSATZSTAB ROSENBERG

1. Numerical List of Documents Cited in Brief:

Document No.	Description	Page Number
L-188	Copy of report, Von Behr to Rosenberg dated 8 August 1944.	5, 9, 11
035-PS	Original report, 26 October 1943. Utikals's signature.	8, 11
055-PS	Copy of report dated 12 September 1944.	4, 12
071-PS	Copy of Rosenberg's letter to Bormann, 18 June 1940.	4, 6
090-PS	Letter Rosenberg to Schwarz, dated 28 January 1941. Copy initialed Schwarz.	7, 13
136-PS	Certified copy of Hitler order, dated 29 January 1940.	3
137-PS	Certified copy of Keitel order, dated 5 July 1940.	4, 5
138-PS	Certified copy of Keitel order, dated 17 September 1940.	4, 5
139-PS	Certified copy of Reineke order, dated 10 October 1940.	4, 6
140-PS	Certified copy of Reineke order, dated 30 October 1940.	4, 6
141-PS	Certified copy of Goering order, dated 5 November 1940.	3, 7
144-PS	Original Goering order, dated 1 May 1941. Goering's signature.	7
145-PS	Photostatic copy of order from Rosenberg, 20 August 1941. Rosenberg's signature.	7
149-PS	Certified copy of Hitler order, dated 1 March 1942.	3, 6
151-PS	Certified copy of Rosenberg order, dated 7 April 1942.	4
153-PS	Certified copy of Rosenberg order, dated 27 April 1942.	4
154-PS	Photostatic copy of Hitler order, dated 5 July 1942. Lammers' signature.	4

Document No.	Description	Page Number
158-PS	Copy of message, dated 1 June 1944. Initialled Utikal.	4
159-PS	Copy of message, dated 6 June 1944. Initialled Utikal.	4
171-PS	Original letter, dated 12 July 1943 and report attached. Signed Wunder.	4, 9
176-PS	Original report, undated. Signed Schimmer.	10
707-PS	Original letters, June - October 1943. Signed SS - Lt. Colonel Sievers.	11
1015-b-PS	Copy of report, October 1940 to July 1944. (With 1015-gg-PS)	4, 8, 11, 13, and 14
1015-gg-PS	Copy of inventory - Attached to 1015-b-PS.	
1015-i-PS	Photostatic copy of letter Goering's to Rosenberg, dated 21 November 1940. Goering's signature.	7
1099-PS	Original letter Kutz to Rosenberg dated 28 September 1941. Signed Kutz, Gen. Commissar White Ruthenia.	12
1107-PS	Copy of internal memo, Rosenberg Ministry, dated 17 May 1944. Initialled Milwe-Schroeder, Ministry Official.	6
1109-PS	Original note, dated 17 June 1944. Signed Dr. Ullman.	12
1117-PS		
1118-PS	Copy of letter Rosenberg to Goering 18 June 1942.	7
1233-PS	Original printed catalog, undated.	19, 20, 22
1600-PS	Copy of report by Dr. Posse, undated.	18, 20, 21
1709-PS	Copy of report of Special Delegate	16, 20, 21, and 22
1773-PS	Decrees. Das Recht des General gouvernements p. E 800, p. E 810, p. E 845, p. E 846.	16, 17
2522-PS	Thirty-nine volumes of photographs, prepared by "Einsatzstab Reichsleiter Rosenberg."	15
R-143	Original Himmler decree, dated 1 December 1939. Himmler's official seal.	18

3042-PS.

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2. Documents Pertaining to Individual Defendants:

Defendant		Document No.
HANS FRANK	:	1233-PS, 1709-PS, 1773-PS
HERMANN GOERING	:	141-PS, 144-PS, 1015-i-PS 1118-PS
WILHELM KEITEL	:	137-PS, 138-PS
ALFRED ROSENBERG	:	L-188, 35-PS, 55-PS, 71-PS, 136-PS, 145-PS, 151-PS, 153-PS, 171-PS, 176-PS, 707-PS, 1015-b-PS, 1015-gg-PS 1118-PS, 2522-PS

3. Documents Pertaining to Organizations:

General Staff and High Command of German Armed Forces	:	71-PS, 137-PS, 138-PS, 139-PS, 140-PS, 149-PS, 1107-PS
Gestapo	:	137-PS
NSDAP (National Socialist Party)	:	90-PS, 145-PS, 1118-PS
SD (Security Service)	:	71-PS
SS	:	71-PS, 137-PS, R-134

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INTERNATIONAL MILITARY TRIBUNAL

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PLUNDER OF ART TREASURES

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U.S. CHIEF OF COUNSEL

OF COUNSEL: WALTER W. BRUDNO

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